

water of Brush Creek for irrigation as early as March 1 and as late as October 31. The protest against the proposed period of use was submitted by the parties represented by John Beaslin and Joseph Novak, and this protest was joined in by the parties represented by Hugh Colton, E. J. Skeen and R. Earl Dillman. The Ashley Valley Reservoir Company claims that any change in the period of use will prejudice their storage rights on Brush Creek.

8. Are the owners of Water Users Claims Nos. 55, 56, 57, 130 through 134, inclusive, entitled to the same period of use as other water users?

In this regard does the period of use of April 15 to July 1, provided for in Application No. 2772, Certificate No. 1680, constitute a limitation on this water right. This issue is raised by the protestants represented by Arthur H. Nielsen.

VI.

Hereafter this order will control the course of the trial and the pleadings will be deemed merged herein. This order shall not be amended except by counsel for the parties and the Court or by order of the Court to prevent manifest injustice.

Dated this _____ day of _____, 1967.

DISTRICT JUDGE